

SENATE RECORD VOTE ANALYSIS

105th Congress
2nd Session

Vote No. 164

June 18, 1998, 11:13 a.m.
Page S-6511 Temp. Record

ENERGY-WATER APPROPRIATIONS/Tobacco Bill

SUBJECT: Energy and Water Development Appropriations Bill for fiscal year 1999 . . . S. 2138. Lott motion to table the Reid motion to waive the Budget Act for the consideration of the Daschle amendment No. 2138.

ACTION: MOTION TO TABLE AGREED TO, 54-44

SYNOPSIS: As reported, S. 2138, the Energy and Water Development Appropriations bill for fiscal year 1999, will provide \$21.371 billion in new budget authority to the Department of Defense's Civil Corps of Engineers, to the Department of the Interior's Bureau of Reclamation, to the relevant offices within the Department of Energy, and to related independent agencies and commissions.

The Daschle amendment would add the Commerce-2 substitute amendment to S. 1415 on tobacco as it was drafted on May 18, 1997. (After 4 weeks of debate and after adopting amendments that changed the substitute amendment to the tobacco bill substantially, the Senate sustained a Budget Act point of order, by seven votes, against the bill. The point of order, that the bill contained excessive spending because it would have allowed hundreds of billions of dollars of "off-budget" spending in excess of the amount allowed under the budget, was valid against the bill, was valid against the substitute amendment as introduced, and was valid against the substitute amendment as it was amended.)

During debate, Senator Domenici raised a point of order that the Daschle amendment violated section 302(f) of the Budget Act because it would cause the Energy Committee to exceed its 302(b) spending allocation. Senator Reid moved to waive the Budget Act for the consideration of the amendment. After dispensing with delaying tactics by Democratic Senators (see vote No. 163), Senator Lott moved to table the Reid motion. Generally, those favoring the motion to table opposed the motion to waive; those opposing the motion to table favored the motion to waive.

NOTE: After the vote, the point of order was sustained and the amendment thus fell.

Those favoring the motion to waive contended:

(See other side)

| YEAS (54) | | | NAYS (44) | | NOT VOTING (2) | |
|-----------------------------|------------------------|------|--------------------------|--------------------------|-------------------------|------------------|
| Republicans (53 or 100%) | Democrats (1 or 2%) | | Republicans (0 or 0%) | Democrats (44 or 98%) | Republicans (2) | Democrats (0) |
| Abraham | Hutchinson | Byrd | Akaka | Johnson | Faircloth- ² | |
| Allard | Hutchison | | Baucus | Kennedy | Specter- ³ | |
| Ashcroft | Inhofe | | Biden | Kerrey | | |
| Bennett | Jeffords | | Bingaman | Kerry | | |
| Bond | Kempthorne | | Boxer | Kohl | | |
| Brownback | Kyl | | Breaux | Landrieu | | |
| Burns | Lott | | Bryan | Lautenberg | | |
| Campbell | Lugar | | Bumpers | Leahy | | |
| Chafee | Mack | | Cleland | Levin | | |
| Coats | McCain | | Conrad | Lieberman | | |
| Cochran | McConnell | | Daschle | Mikulski | | |
| Collins | Murkowski | | Dodd | Moseley-Braun | | |
| Coverdell | Nickles | | Dorgan | Moynihan | | |
| Craig | Roberts | | Durbin | Murray | | |
| D'Amato | Roth | | Feingold | Reed | | |
| DeWine | Santorum | | Feinstein | Reid | | |
| Domenici | Sessions | | Ford | Robb | | |
| Enzi | Shelby | | Glenn | Rockefeller | | |
| Frist | Smith, Bob | | Graham | Sarbanes | | |
| Gorton | Smith, Gordon | | Harkin | Torricelli | | |
| Gramm | Snowe | | Hollings | Wellstone | | |
| Grams | Stevens | | Inouye | Wyden | | |
| Grassley | Thomas | | | | | |
| Gregg | Thompson | | | | | |
| Hagel | Thurmond | | | | | |
| Hatch | Warner | | | | | |
| Helms | | | | | | |

EXPLANATION OF ABSENCE:

- 1—Official Business
- 2—Necessarily Absent
- 3—Illness
- 4—Other

SYMBOLS:

- AY—Announced Yea
- AN—Announced Nay
- PY—Paired Yea
- PN—Paired Nay

Yesterday, in a parliamentary procedure, a minority of Members were able to defeat the tobacco bill. Though that particular bill was defeated, the issue lives on, and we will continue to press for its resolution at every opportunity. For the good of America's children, Democrats and Republicans should continue to work to find common ground. We Democrats, for our part, are open to any suggestions on how to break the present impasse. Trying to come up with a bill for one month, and then quitting, is not good enough. We must continue debating this issue until it is resolved. Therefore, we have reoffered the tobacco bill as it was first introduced 4 weeks ago. The Senate tried once and failed to reach agreement; it should now try again.

Those opposing the motion to waive contended:

Argument 1:

Yesterday, after 1 month of debate on the tobacco bill, Members voted to return it to the Commerce Committee because it was obvious that an agreement on its provisions and scope was not going to be reached. The Senate has a very broad range of legislative items which it should consider soon, and it has many that it must consider soon or the Federal Government will have to shut down. The Senate is already well behind schedule in considering must-pass legislation because of the great deal of time that it has spent on the tobacco bill. We suppose some Senators, for political purposes, may prefer to continue their demagoguery on tobacco, but we will not be so irresponsible. Many of us still hope that a deal will be reached, but we realize that it will not be reached by engaging in endless debate on the Senate floor. If Senators can meet out of the spotlight, it is more likely that they will be able to craft a proposal that will be narrowly targeted on reducing teen smoking, that will be restrained enough to win the voluntary support of the tobacco industry (and thereby be constitutional), that will settle tobacco lawsuits and will give States their funding without strings attached, and that will not be a thinly disguised excuse for raising taxes and spending. In short, if our Democratic colleagues really wish to see a youth anti-tobacco initiative passed, they will have to quit playing politics with the issue. Offering the tobacco bill as an